

NORFOLK, VIRGINIA

ACTION OF THE COUNCIL

TUESDAY, FEBRUARY 24, 2015 – 7:00 P.M.

Prayer offered by Vice Mayor Angelia Williams, followed by the Pledge of Allegiance.

The following members were present: Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn, Ms. Williams and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

CEREMONIAL MATTERS

President Fraim introduced Marjorie Mayfield Jackson, Executive Director of the Elizabeth River Project. Ms. Jackson explained how the City of Norfolk has been a consistent River Star partner, including metrics such as Norfolk being awarded five 2015 Stars ranging from “Sustained Distinguished Performance for completion of a significant new effort”, to the “Model Level of exceptional pollution prevention.” She then acknowledged the department staff:

- **Public Works**, Norfolk Environmental Storm water Management won one of the top two awards, advancing to Three Star Model Achievement Level. (Division of Public Works, Justin Shafer and Fleta Jackson; David Ricks, Department Director).
- **Planning & Community Development Department**, awarded Sustained Distinguished Performance for completing comprehensive shoreline restoration on the Lafayette River's Colley Bay (Kevin DuBois, Norfolk Environmental Commission Director, and George Homewood, Department Director).
- **Utilities Department**, awarded Sustained Distinguished Performance for energy savings and reducing unaccounted water loss (Alicia Connelly – Utilities Water Quality Manager, Kristen Lentz PE, Department Director).
- **Virginia Zoo**, awarded Sustained Distinguished Performance for its program to add 75 oyster reef balls to its shorelines and 600 new wetland plants to the Zoo's floating wetland islands (Brian Francis – Curator of Horticulture, Greg Bockheim, Department Director).
- **RPOS**, Celebrate Trees, awarded Sustained Distinguished Performance for planting new Living Legacy Groves to help reach 40 percent tree canopy (Tree Commission Chair – Ken Danser and RPOS – Michael Nentwich, Urban Forester, and Darrell Crittenden, Department Director).

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Virginia United Methodist Homes – Lydia H. Roper Home**, for a change of zoning from **R-8 (Single-Family) to Conditional R-11 (Moderate Density Multi-Family)** on properties fronting 270 feet, more or less, along the southern line of **East 40th Street** and 139 feet, more or less, along the western line of **Columbus Avenue**; premises numbered **113-127 East 40th Street**.

Thereupon, an Ordinance entitled, “An Ordinance to rezone properties located at **113 to 127 East 40th Street from R-8 (Single-Family Residential) District to Conditional R-11 (Multi-Family Residential) District**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

PH-2

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **COLLINS RECAP V**, for a text amendment to the City’s **Zoning Ordinance** to amend **Section 27-30, “Watermark Residential Planned Development” (PD-R WM) District** in order to modify the site layout and allow additional land uses.

Martin Thomas, 7400 Colony Point Road, spoke in support to this matter.

Thereupon, an Ordinance entitled, “An Ordinance to amend **Section 27-30** of the **Zoning Ordinance** of the **City of Norfolk, 1992**, **SO AS TO** revise the plan of development for the **Watermark Residential Planned Development District (PD-R WM)**,” was introduced in writing and read by its title.

Councilman Winn signed and filed a written declaration with the City Clerk declaring his interest in this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

REGULAR AGENDA

R-1

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting \$20,261.60 in **Rescue Squad Assistance Grant Funds** from the **Virginia Department of Health, Office of Emergency Medical Services**, appropriating the grant funds and authorizing the expenditure of the grant funds and \$20,261.60 in local matching funds for the purchase of portable **Cardiopulmonary Resuscitation (CPR)** devices for the **Department of Fire-Rescue** with total funding in the amount of \$40,523.20,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting a \$22,000 donation to the City from the **Major League Baseball Charities, Inc.** for the **Reviving Baseball in Inner Cities Program** and appropriating and authorizing the expenditure of the funds for the program,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

R-3

Letter from the City Manager and a Resolution entitled, “A Resolution to authorize the City Manager to work cooperatively with the **Corp of Engineers** to petition the **Virginia Department of Game and Inland Fisheries** for permission to install regulatory (**No Wake**) markers in the **Elizabeth River adjacent to 3rd and Front Streets to the Midtown Tunnel**,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a **Lease** between **WTC Financial Associates, LLC, 435 East WTC, LLC** and the **City of Norfolk**, and authorizing the execution of the **Lease Agreement** on behalf of the City,” was introduced in writing and read by its title.

Karen Rudd, 208 East Main Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

NEW BUSINESS

1. Danny Lee Ginn, 3845 Dare Circle, commented on good government.